

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

ODELL STARLING #20110324105,)
)
 Plaintiff,)
)
 v.)
)
)
COOK COUNTY,)
)
)
 Defendant.)

No. 12 C 4560

MEMORANDUM ORDER


Odell Starling ("Starling") has used the Clerk's-Office-supplied form of 42 U.S.C. §1983 ("Section 1983") Complaint to sue Cook County, accompanying that submission with a filled-out In Forma Pauperis Application ("Application"). Because the Complaint reveals a total lack of understanding on Starling's part as to what might constitute a viable Section 1983 action, this Court sua sponte dismisses both the Complaint and this action (but without prejudice).¹

Starling's Statement of Claim in Complaint ¶IV charges state court judge G. Howard with refusing to provide Starling with the assistance of counsel in his criminal case. Even when that charge is accepted as true (as is required for current purposes, though this Court of course makes no findings in that respect), Cook County itself is obviously not a proper Section 1983

¹ Starling should understand that this dismissal at the very outset spares him the obligation to pay the \$350 filing fee in future installments--an obligation that the Application ordinarily triggers under 28 U.S.C. §1915(a) and (b).

defendant. And as for Judge Howard, the law provides him absolutely immunity for actions taken in his judicial capacity.

As stated at the outset, then, a threshold dismissal of this action is called for. This Court so orders.

A handwritten signature in black ink, reading "Milton I. Shadur". The signature is written in a cursive, flowing style.

Milton I. Shadur
Senior United States District Judge

Date: June 14, 2012